

STAFF REPORT
September 22, 2011

No. 11PL046 - Layout Plat

ITEM 10

GENERAL INFORMATION:

APPLICANT	Ken Berglund for the Estate of Patricia Berglund
AGENT	Janelle Finck for Fisk Land Surveying & Consulting Engineers
PROPERTY OWNER	Ken Berglund
REQUEST	No. 11PL046 - Layout Plat
EXISTING LEGAL DESCRIPTION	The north 825 feet of the NE1/4 SE1/4 less Squirrely Acres Subdivision located in Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lots 4 and 5 of Squirrely Acres Subdivision
PARCEL ACREAGE	Approximately 7.21 acres
LOCATION	Along Berglund Road, south of the intersection of Berglund Road and Fox Road
EXISTING ZONING	Medium Density Residential District (Planned Development Designation)
SURROUNDING ZONING	
North:	Park Forest District
South:	Office Commercial District (Planned Commercial Development)
East:	Business Park District
West:	Park Forest District (Planned Residential Development)
PUBLIC UTILITIES	Private on-site water and wastewater
DATE OF APPLICATION	8/26/2011
REVIEWED BY	Vicki L. Fisher / Brandon Quiett

RECOMMENDATION:

Staff recommends that the Layout Plat be approved with the following stipulations:

1. Prior to submittal of a Preliminary Plat application, an Exception shall be obtained to allow an easement to serve five lots in lieu of a maximum of four lots as per the Street Design Criteria Manual or the plat document shall be revised accordingly;
2. Upon submittal of the Preliminary Plat application, road construction plans for Berglund Road shall be submitted for review and approval. In particular, the road construction

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- plans shall show the street constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations shall be obtained;
3. Upon submittal of the Preliminary Plat application, road construction plans for the section line highway shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained to waive the street improvements or the section line highway shall be vacated. The adjacent property owner shall participate in the platting or vacation of the section line highway or a Variance to the Subdivision Regulations shall be obtained to allow half a right-of-way. In particular, the road shall be located in a minimum 59 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained;
 4. Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. If a private water system is utilized, then an on-site water plan prepared by a Professional Engineer shall be submitted for review and approval. In addition, the water plans shall demonstrate that adequate fire and domestic flows are being provided.
 5. Upon submittal of a Preliminary Plat application, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. If individual on-site wastewater systems are proposed, then an on-site wastewater plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems shall be submitted for review and approval;
 6. Upon submittal of a Preliminary Plat application, a drainage plan and a grading plan shall be submitted for review and approval if subdivision improvements are required or site grading is proposed;
 7. Upon submittal of a Preliminary Plat application, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval if subdivision improvements are required;
 8. Prior to submittal of a Preliminary Plat application, the Wild Fire Mitigation Plan shall be approved by the Fire Department. In addition, prior to submittal of a Final Plat application, the Wild Fire Mitigation Plan shall be implemented;
 9. Upon submittal of a Preliminary Plat application, the applicant shall submit written documentation identify maintenance of Tittle Springs Lane and the two access easements;
 10. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval;
 11. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid;
 12. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and,
 13. The approved Layout Plat for which no grading, construction or other improvements have been initiated within two years of the date of approval of the plat shall be deemed as expired. However, the owner or applicant of the plat may, prior to the termination of the two year period, request a one year extension subject to approval by the City Council.

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GENERAL COMMENTS:

The applicant has submitted a Layout Plat to subdivide a 7.21 acre parcel into two lots sized 3.01 acres and 4.2 acres, respectively. In addition, the applicant has submitted a Variance to the Subdivision Regulations (File #11SV014) to allow a 17 foot wide graveled surface in lieu of a minimum 24 foot wide paved surface and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water and sewer along Berglund Road and to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer along the section line highway as they abut the property. The applicant has also submitted a Rezoning request to change the zoning designation of the property from Medium Density Residential District to Park Forest District.

The property is located approximately 300 feet south of the intersection of Fox Road and Berglund Road. Currently, the property is void of any structural development.

The Layout Plat is an informal preliminary review of a proposed subdivision to identify any major issues prior to platting. It is intended to provide the subdivider with an informal process where major issues may be identified and general agreements may be reached with Rapid City as to the form of the plat. Comments regarding the Layout Plat are based on the level of detail provided. All specific details of the subdivision may not be addressed as part of the Layout Plat approval but the major concerns and issues are identified based on the information provided. All applicable Subdivision Regulations, Zoning Regulations, Street Design Criteria Manual, and any other applicable regulations will need to be met as part of the Preliminary and Final Plat. Any waiver from the Rapid City Municipal Code or the Street Design Criteria Manual will require a formal variance request or a special exception whichever is applicable.

STAFF REVIEW:

Staff has reviewed the Layout Plat and has noted the following considerations:

Zoning: The property is currently zoned Medium Density Residential District with a Planned Development Designation. As previously noted, the applicant has submitted a Rezoning request to change the zoning designation of the property from Medium Density Residential District to Park Forest District. The applicant should be aware that prior to issuance of a building permit, an Initial and Final Planned Residential Development must be approved by the Planning Commission pursuant to Chapter 17.50.050 of the Rapid City Municipal Code. The applicant should also be aware that a minimum 58 foot setback is required along the section line highway located along the east lot line of the property.

Water: The proposed lots are located more than 400 feet from an existing central water system. As such, the applicant has indicated that the proposed lots will be served by individual well(s). Chapter 16.16.040 states that if a well is to serve more than one lot, a public water system is required. The design and specifications of the distribution system have not been submitted for review and approval. In addition, water data has been submitted demonstrating that the well can provide adequate domestic and fire flows.

Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained. If a private

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water system is utilized, then an on-site water plan prepared by a Professional Engineer must be submitted for review and approval. In addition, the water plans must demonstrate that adequate fire and domestic flows are being provided. If adequate fire flows cannot be provided, then the Pennington County Fire Coordinator has strongly encouraged the installation of an approved residential fire sprinkler system in each residential structure.

Sewer: Chapter 16.16.050 of the Rapid City Municipal Code states that “sewer collection systems shall be installed in each subdivision within Rapid City and surrounding platting jurisdictions in accordance with City specifications”. The property is located more than 400 feet from an existing central sewer system. As such, the applicant has indicated that the proposed lots will be served by individual on-site wastewater systems.

Upon submittal of a Preliminary Plat application, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines must be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained. If an individual on-site wastewater system is utilized, then an on-site wastewater plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems must be submitted for review and approval.

Berglund Road: Berglund Road is located along the north and west lot lines of the property and is classified as a lane place street requiring that it be located within a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. Currently, Berglund Road is located within a 40 foot wide private access easement and constructed with an approximate 17 foot wide graveled surface. The Layout Plat identifies the dedication of nine additional feet along the easement for a total width of 49 feet. The Street Design Criteria Manual states that an easement may serve up to four lots. With the proposed subdivision of this property, the easement will serve five lots. As such, prior to submittal of a Preliminary Plat application, an Exception must be obtained to allow the access easement to serve five lots in lieu of four lots or the plat document must be revised accordingly. Staff also recommends that upon submittal of the Preliminary Plat application, road construction plans for Berglund Road be submitted for review and approval. In particular, the road construction plans must show the street constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, sewer and water or a Variance to the Subdivision Regulations must be obtained.

Section Line Highway: An unimproved section line highway is located along the east lot line of the property and is classified as a commercial street requiring that it be located within a minimum 59 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations must be obtained. The applicant also has the option of vacating the section line highway; however, the east half of the section line highway is located on an adjacent property under different ownerships than the property being platted. As such, the adjacent property owners must participate in the vacation or the platting of the section line right-of-way or a Variance to the Subdivision Regulations to allow platting half a right-of-way must be obtained. Staff is recommending that the section line highway issue be addressed as identified prior to submittal of a Preliminary Plat application.

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Drainage/Grading: As part of the Preliminary Plat application, a grading plan for all improved areas and a drainage plan must be submitted for review and approval if subdivision improvements are required. In particular, the drainage plan must be designed in compliance with the Drainage Criteria Manual. The drainage plan must also demonstrate that the design flows do not exceed pre-developed flows or on-site detention must be provided. If on-site detention is required, then design calculations and details for the detention must be submitted for review and approval.

Staff recommends that upon submittal of the Preliminary Plat application, a drainage and grading plan be submitted for review and approval if subdivision improvements are required. In addition, the plat document must be revised to provide drainage easements as necessary.

Stormwater Management Plan: The City Council recently adopted a Stormwater Quality Manual which provides a set of criteria and technical guidance for erosion and sediment control at construction sites. As such, staff recommends that prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual be submitted for review and approval if subdivision improvements are required. In addition, an Erosion and Sediment Control Permit must be obtained prior to any construction.

Wild Fire Mitigation Plan: The property is located within a moderate to high Wild Fire area. As such, the applicant has submitted a Wild Fire Mitigation Plan which is currently being reviewed by the Fire Department. Prior to submittal of a Preliminary Plat application, the Wild Fire Mitigation Plan must be approved by the Fire Department. In addition, prior to submittal of a Final Plat application, the Wild Fire Mitigation Plan must be implemented.

Inspection Fees and Surety: Chapter 16.20.080 of the Rapid City Municipal Code states that before any Final Plat is approved, an additional fee shall be paid to the City to cover the costs of inspection of the subdivision improvements required by the Ordinance. In addition, surety for any required subdivision improvements that have not been completed must be posted. Upon submittal of a Final Plat application, surety must be posted and subdivision inspection fees be paid as required.

Warranty Surety: On June 19, 2006, the City Council adopted a resolution establishing a formal warranty process for subdivision improvements. In particular, the resolution requires that the developer provide an acceptable Warranty Surety for the required public improvements. In particular, the Warranty Surety must be in force for a period of two years after the required final inspection and the City has accepted the improvements. Prior to the City's acceptance of any public improvements, a Warranty Surety must be submitted for review and approval if subdivision improvements are required as a part of any future platting of the property.

The proposed plat generally complies with all applicable Zoning and Subdivision Regulations assuming compliance with the stated stipulations.